

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD FIELDS : CIVIL ACTION
:
v. :
: NO: 14-4424
CITY OF PHILADELPHIA, et al :
:

AMANDA GERACI : CIVIL ACTION
:
v. :
: NO: 14-5264
CITY OF PHILADELPHIA, et al :
:

ORDER

AND NOW, this 19th day of February 2016, upon consideration of the Defendants' Motion for Partial Summary Judgment (ECF Doc. No. 24), Plaintiff's Response (ECF Doc. No. 27), following our January 28, 2016 oral argument during which Plaintiffs conceded they were not seeking to impose supervisory liability other than through their First Amendment Retaliation claims, and for the reasons in the accompanying Memorandum, it is **ORDERED** Defendants' Motion (ECF Doc. No. 24) is **GRANTED in part and DENIED in part**:

1. Defendants' Motion is **GRANTED** as to Plaintiffs' claims for First Amendment Retaliation and these claims are **DISMISSED**;
2. Upon Plaintiffs' consent, Defendants' Motion is **GRANTED** as to Plaintiffs' Fourth Amendment supervisory liability claims and these claims are **DISMISSED**;
3. Defendants' Motion is **GRANTED** as to Richard Fields' claim for malicious prosecution and this claim is **DISMISSED**; and,

4. Defendants' Motion is **DENIED** as to Fourth Amendment liability for the officers and we will proceed to trial on: a) Mr. Fields' claims for unreasonable search and seizure and false arrest against Officer Sisca; and, b) Ms. Geraci's claims for excessive force against Officers Brown, Barrow, Jones and Smith.



KEARNEY, J.